

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:	§	Case Number 11-40394
	§	
FREDDIE D. GARRETT AND	§	
WILLIE G. GARRETT	§	
	§	
Debtors	§	CHAPTER 13

DEBTORS' MOTION FOR AUTHORITY TO INCUR DEBT

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

COME NOW Debtors Freddie D. Garrett and Willie G. Garrett to file this Motion to for Authority to Incur Debt and in support thereof would respectfully show the Court as follows:

NO HEARING WILL BE CONDUCTED ON THIS MOTION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN FOURTEEN (14) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

1. Debtors have been approved for a Reconstruction Deferred Loan through the Home Improvement Program through the City of Denton. This loan is for reconstruction and improvements on Debtor's homestead property and would require no payments from the debtors. All monthly payments would be deferred and forgiven.

2. Attached here to as Exhibits are the approval letter and the Estimated Projected Payment for Reconstruction Deferred Loan.

3. Debtors are 52 months into their Chapter 13 Plan and have every intention of completing the plan.

5. Based on Debtors' review of the program and documents, Debtors believe that they will not ever have to make a payment and they will certainly have no payment obligation during the pendency of this bankruptcy case.

6. Approval of this Motion would not change the Debtors' budget or monthly disposable income and no creditors will be prejudiced by Debtors incurring this debt.

WHEREFORE, Debtors request that the Court enter an order authorizing them to incur debt in the form of a Reconstruction Deferred Loan on the terms indicated on the attached documents for the purpose of reconstruction and improvements on their homestead and that they be granted such other and further relief to which they may show themselves to be justly entitled.

Respectfully submitted,
MINOR & JESTER, P.C.

/s/ Christopher B. Henry
Christopher B. Henry
Texas Bar No. 24065400
502 W. Oak St., Suite 200
P.O. Box 280
Denton, Texas 76202
Tel. 940-387-7585
Fax 940-808-0054

CERTIFICATE OF SERVICE

I hereby certify that on this the 25th day of June 2015, a true and correct copy of the foregoing was served via electronic means, if available, otherwise by regular first class U.S. Mail to the parties on the attached matrix.

/s/Christopher B. Henry
Christopher B. Henry

Label Matrix for local noticing
0540-4
Case 11-40394
Eastern District of Texas
Sherman
Thu Jun 25 14:03:36 CDT 2015

Aaron's, Inc.
2800 Canton Road, Suite 900
Marietta, GA 30066-5477

Ace Cash Express
2215 S. Loop 288
#310
Denton, TX 76205-4981

Ace Cash Express
c/o B-Line, LLC
MS 550
PO Box 91121
Seattle, WA 98111-9221

Advance America
1400 S. Loop 288
Denton, TX 76205-4706

Afni, Inc.
P.O. Box 3517
Bloomington, IL 61702-3517

Afni, Inc.
PO BOX 3667
Bloomington, IL 61702-3667

American InfoSource LP as agent for WFCB
as assignee of
Venue
PO Box 248872
Oklahoma City, OK 73124-8872

Richard E. Anderson
Anderson, Burns & Vela, LLP
8111 Lyndon B Johnson Fwy, Suite 480
Dallas, TX 75251-1395

(p)APPLIED BANK
PO BOX 15809
WILMINGTON DE 19850-5809

CITI Mortgage Inc
PO Box 6030
Sioux Falls, SD 57117-6030

Cavalry Portfolio Services, LLC
500 Summit Lake Drive Suite 400
Valhalla, NY 10595-2322

Citi Mortgage, Inc.
P.O. Box 689196
Des Moines, IA 50368-9196

CitiMortgage Inc.
P.O. Box 6941
The Lakes, NV 88901-6006

CitiMortgage, Inc
PO box 6030
Sioux Falls, SD 57117-6030

CitiMortgage, Inc.
c/o BDFTE, LLP
15000 Surveyor Blvd Suite 100
Addison, TX 75001-4417

CitiMortgage, Inc.
CitiMortgage, Inc.
PO BOX 6030
Sioux Falls, SD 57117-6030

CitiMortgage, Inc.
PO Box 140609
Irving, TX 75014-0609

CitiMortgage, Inc.
PO Box 688971
Des Moines, IA 50368-8971

Citibank - Fingerhut
P.O. Box 6241
Sioux Falls, SD 57117-6241

City Finance
318 E. Oak #A
Denton, TX 76201-4271

Cottonwood Financial Texas, LP
1901 Gateway Drive, Suite 200
Irving, TX 75038-2425

DATCU
P.O. Box 827
Denton, Texas 76202-0827

DENTON REGIONAL MEDICAL
c/o Resurgent Capital Services, PO Box 1
Greenville, SC 29602-0001

DENTON REGIONAL MEDICAL
c/o Resurgent Capital Services
PO Box 1927
Greenville, SC 29602-1927

DT Credit
4020 E. Indian School Road
Phoenix, AZ 85018-5220

Dt Credit Co.LLC
P.O Box 29018
Phoenix, Az 85038-9018

Freddie D Garrett
713 Lakey St.
Denton, Tx 76205-6226

Willie Gray Garrett
713 Lakey St.
Denton, Tx 76205-6226

Genesis Financial Solutions INC
Quantum3 Group LLC
PO Box 788
Kirkland, WA 98083-0788

Gold Star Finance
316 E. Oak
Denton, TX 76201-4270

Christopher Benton Henry
Minor & Jester, P.C.
502 W. Oak St.
Suite 200
Denton, TX 76201-9083

(P)JEFFERSON CAPITAL SYSTEMS LLC
PO BOX 7999
SAINT CLOUD MN 56302-7999

(p)SECURITY FINANCE CENTRAL BANKRUPTCY
P O BOX 1893
SPARTANBURG SC 29304-1893

McKinney Investment
1407 W. University Dr.
McKinney, TX 75069-4839

Medical Data System
2120 15th Avenue
Vero Beach, FL 32960-3436

Minor & Jester, P.C.
515 S. Carroll Blvd., Suite A
P.O. Box 280
Denton, Texas 76202-0280

NCP Finance
100 E. Third St., 5th Floor
Dayton, OH 45402-2119

Northstar Capital Acquisition
170 Northpointe Pwky
Suite 300
Amherst, NY 14228-1992

Orthopedic Associates
500 W. Main St.
Lewisville, TX 75057-3629

PYOD LLC
c/o Resurgent Capital Services
PO Box 19008
Greenville, SC 29602-9008

Quantum3 Group LLC
PO Box 788
Kirkland, WA 98083-0788

Quantum3 Group LLC as agent for
ACE Cash Express INC
PO Box 788
Kirkland, WA 98083-0788

RNB Fields
P.O. Box 9475
Minneapolis, MN 55440-9475

Recovery Management Systems Corporation
25 S.E. Second Avenue
Suite 1120
Miami, FL 33131-1605

Recovery Management Systems Corporation
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

SFC-Central Bankruptcy
P.O. Box 1893
Spartanburg, S.C 29304-1893

SN Servicing Corp.,for Preston Ridge Partner
323 5th St.
Eureka, CA 95501-0305

SN Servicing Corporation as Servicer for U.
c/o Richard Anderson
Anderson Burns & Vela, LLP
8111 LBJ Freeway
Suite 1501
Dallas, TX 75251-1408

Spot on Loan
PO Box 140
Box Elder, Montana 59521-0140

TLC
715 W. Abram
Arlington, TX 76013-6902

John Talton..
P. O. Box 941166
Plano, TX 75094-1166

Texan Financial Serv.
318 E. Oak St., Ste A
Denton, TX 76201-4271

Texans Credit Union
P.O. Box 853912
Richardson, Texas 75085-3912

(p)COTTONWOOD FINANCIAL DBA THE CASH STORE AN
1901 GATEWAY DRIVE
SUITE 200
IRVING TX 75038-2425

Steve Turner
Barrett Daffin Frappier Turner & Engel
15000 Surveyor Boulevard
Addison, TX 75001-4417

U.S. Attorney General
Department of Justice
Main Justice Building
10th & Constitution Ave., NW
Washington, DC 20530-0001

US Trustee
Office of the U.S. Trustee
110 N. College Ave.
Suite 300
Tyler, TX 75702-7231

WFCB/Venue
P.O. Box 182273
Columbus, OH 43218-2273

Wells Fargo Bank
PO Box 5058 MAC P6053-021
Portland, OR 97208-5058

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Applied Bank	Jefferson Capital Systems LLC	Maverick Finance
601 Delaware Ave.	PO BOX 7999	605 Sunset
Wilmington, DE 19601	SAINT CLOUD MN 56302-9617	Denton, TX 76205

The Cash Store
1601 Brinker Road, #103
Denotn, TX 76208

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(d)Genesis Financial Solutions, Inc.	(u)NCash	(u)Payday Loan Yes
Quantum3 Group LLC		
PO Box 788		
Kirkland, WA 98083-0788		

(d)Quantum3 Group LLC as agent for	End of Label Matrix	
ACE Cash Express INC	Mailable recipients	61
PO Box 788	Bypassed recipients	4
Kirkland, WA 98083-0788	Total	65

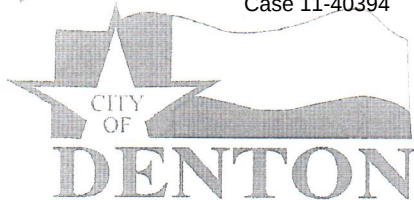


EXHIBIT A

COMMUNITY DEVELOPMENT DIVISION

601 E. HICKORY • SUITE B • DENTON, TEXAS 76205 • (940) 349-7726 • FAX (940) 349-7753

June 9, 2015

Freddie & Willie Garrett
713 Lakey Street
Denton, TX 76205-6226

Dear Mr. & Mrs. Garrett:

Thank you for completing the Home Improvement Program application. An initial review of your household's income is complete. The City uses Definition 1: Annual Income as Defined in 24 CFR Part 5 to calculate annual (gross) income for this Program. Your household's projected gross annual income is \$32,349.60.

Due to upcoming guideline changes, you are eligible for a 100% deferred (forgivable loan) of City-paid project costs. Please note that you will still be responsible for providing owner required funds, one time at contract signing.

Your loan assistance level was determined by; 1.) household income data; 2.) the area median income (AMI) limits for Denton for the [current] program year, adjusted for family size; and 3.) the Home Improvement Program Guideline's financial assistance criteria.

IMPORTANT NOTICE: Income information must be less than six months old on the date contracts are signed. Therefore, please be advised that 1.) any income data older than six months must be re-verified before contracts can be signed, and 2.) your final assistance level could change if any changes occur to the three determining factors listed in the above paragraph from what they are now.

Attached is a form showing **Estimated Project Payment for a Deferred (forgivable) loan** for households within your income range. Your project will be based on the actual project costs for the work to be completed for your property.

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To avoid delays in beginning your project, please inform us quickly of any changes to household members, income, or any other changes you feel we need to know about that may affect your eligibility or level of assistance.

Please feel free to call (940) 349-7756 if you have any questions regarding this information or about the Home Improvement Program. Thank you.

Sincerely,

Alma Espino
Housing Programs Manager

Estimated Project Payment for Reconstruction Deferred Loan - For Persons 62 or more of Age - Per Waiver

	Low Income 51% AMI - 65% AMI	
	Deferred / Forgivable 100%	
Assistance:		
Project Total:	\$98,000.00	
Length of Loan:	20 years	
Owner Required Funds at Contract Signing:	.75% of Total Project	\$735.00
Loan with City of Denton:	\$97,265.00	
Amount Forgiven Monthly:	\$405.27	
Project Total:	\$101,000.00	
Length of Loan:	20 years	
Owner Required Funds at Contract Signing:	.75% of Total Project	\$757.50
Loan with City of Denton:	\$100,242.50	
Amount Forgiven Monthly:	\$417.68	

**Amounts Are Subject To Change Based
on Actual Project Cost**